

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BARRY JACK SMITH,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting Commissioner
of Social Security,

Defendant.

Case No. 3:23-cv-00203-CLB

**ORDER EXTENDING TIME TO FILE
MOTION FOR REMAND/REVERSAL**

On May 17, 2023, Plaintiff Barry Jack Smith ("Smith") initiated this action, which involves judicial review of an administrative action by the Secretary of Health and Human Services, denying his claim for disability benefits under the Social Security Act. (ECF No. 1.)

On May 17, 2023, this Court issued an order concerning review of social security cases, (ECF No. 6). The order explicitly required Smith to file any motion for remand or reversal within 60 days of the filing of the certified administrative record. (*Id.* at 2.) On July 17, 2023, Defendant Commissioner Kilolo Kijakazi ("Commissioner") filed the certified administrative record. (ECF No. 13.) Thus, pursuant to this Court's order, Smith had until Friday, September 15, 2023, to file his motion for remand or reversal, but to date has failed to do so. Although an answer was not filed, the Court construes the certified administrative record as the answer pursuant to Fed. R. Civ. P. Supp. Soc. Sec 4(b).

For good cause appearing, the Court will *sua sponte* grant Smith an extension to **Monday, October 30, 2023**, to file his motion for reversal/remand.

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1 Absent extraordinary circumstances, no further extensions of time will be granted.
2 Finally, if Smith fails to file his motion for reversal/remand, the Court will consider
3 appropriate sanctions against the offending party.

4 **IT IS SO ORDERED.**

5 **DATED:** September 18, 2023.

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8 **UNITED STATES MAGISTRATE JUDGE**